
UTAH CODE TITLE 53B, CHAPTER 2A

UTAH COLLEGE OF APPLIED TECHNOLOGY

53B-2a-101. Definitions.

As used in this chapter:

- (1) "Applied technology education" means organized educational programs offering sequences of courses or skill sets directly related to preparing individuals for paid or unpaid employment in current or emerging occupations that do not require a baccalaureate or advanced degree.
- (2) "Board of trustees" means the Utah College of Applied Technology Board of Trustees.
- (3) "College campus" means a college campus of the Utah College of Applied Technology.
- (4) "Competency-based" means mastery of subject matter or skill level, as demonstrated through business and industry approved standards and assessments, achieved through participation in a hands-on learning environment, and which is tied to observable, measurable performance objectives.
- (5) "High wage jobs" means jobs with an annual salary at or above the median salary in the service region of the college campus.
- (6) "Open-entry, open-exit" means:
 - (a) a method of instructional delivery that allows for flexible scheduling in response to individual student needs or requirements and demonstrated competency when knowledge and skills have been mastered; and
 - (b) students have the flexibility to begin or end study at any time, progress through course material at their own pace, and demonstrate competency when knowledge and skills have been mastered. If competency is demonstrated in a program of study, a credential, certificate, diploma, or degree may be awarded.

Amended by Chapter 259, 2007 General Session

53B-2a-102. President -- Appointment -- Duties.

- (1) (a) The board shall appoint a president for the Utah College of Applied Technology.
 - (b) The president of the Utah College of Applied Technology does not need to have a doctorate degree, but shall have extensive experience in applied technology education.
 - (c) The president shall serve at the board's discretion.
 - (d) The names of the final candidates for president of the Utah College of Applied Technology shall be publicly disclosed.
 - (e) The chair and vice chair of the Utah College of Applied Technology Board of Trustees shall be members of the search committee for the president.
- (2) The president shall:
 - (a) direct the Utah College of Applied Technology and coordinate the activities of each of its college campuses;
 - (b) in cooperation with the board of trustees and with the approval of the board, develop a competency-based associate of applied technology degree;
 - (c) ensure that, pursuant to State Board of Regents' rules, an applied technology education degree is primarily a terminal degree, but is transferable to a bachelor's degree in applied technology at other higher education institutions under specific articulation agreements;
 - (d) in consultation with the board of trustees, campus presidents, and campus boards of directors, prepare a comprehensive strategic plan for delivering applied technology education through the Utah College of Applied Technology college campuses;
 - (e) after consulting with local school districts and other higher education institutions in the regions, ensure that the curricula of the Utah College of Applied Technology meet the needs of the state, the regions, and the local school districts;
 - (f) in consultation with the board of trustees, campus presidents, and campus boards of directors, and after consulting with local school districts and other higher education institutions in the region, develop strategies for providing applied technology education in rural areas, specifically considering the distances between rural applied technology education providers;
 - (g) establish minimum standards for applied technology programs of the Utah College of Applied Technology college campuses;
 - (h) in conjunction with the board of trustees, do the following:
 - (i) develop and implement a system of common definitions, standards, and criteria for tracking and measuring the effectiveness of applied technology education;

- (ii) maintain a central administration office for coordination, prioritization, support, and reporting of college functions dealing with:
 - (A) budgets and audits;
 - (B) facilities, including capital, capital development, and leases;
 - (C) management information systems;
 - (D) campus and college master planning efforts;
 - (E) strategic planning;
 - (F) legislative and Board of Regents contact;
 - (G) general data collection; and
 - (H) programs, certificates, and curriculum; and
- (iii) develop and implement a plan to inform citizens about the availability, cost, and advantages of applied technology education;
- (i) after consulting with the State Board of Education and local school districts, ensure that secondary students in the public education system have access to applied technology education through the Utah College of Applied Technology college campuses; and
- (j) provide expertise and monitor applied technology education within the regions served by Snow College and the College of Eastern Utah in accordance with Sections 53B-16-205 and 53B-16-207.

Amended by Chapter 259, 2007 General Session

53B-2a-103. Utah College of Applied Technology Board of Trustees -- Membership -- Terms -- Vacancies -- Oath -- Officers -- Quorum -- Committees -- Compensation.

- (1) There is created the Utah College of Applied Technology Board of Trustees, composed of the following members:
 - (a) two members of the State Board of Education appointed by the governor with the consent of the Senate;
 - (b) two members of the State Board of Regents appointed by the governor with the consent of the Senate;
 - (c) one member representing business and industry from the regional board of each regional applied technology college appointed by a majority vote of the business and industry members of the regional board;
 - (d) one member representing business and industry from the Snow College applied technology advisory committee appointed by a majority of the business and industry members of the advisory committee;
 - (e) one member representing business and industry from the College of Eastern Utah applied technology advisory committee appointed by a majority of the business and industry members of the advisory committee; and
 - (f) one business or industry representative appointed by the governor with the consent of the Senate from nominations submitted by the speaker of the House of Representatives and president of the Senate.
- (2) (a) The members of the board of trustees shall be appointed commencing on September 1 of the year of appointment to:
 - (i) two-year terms for the members described in Subsections (1)(a) and (b); and
 - (ii) four-year terms for the members described in Subsections (1)(c) through (f).
- (b) An appointed member holds office until a successor is appointed and qualified.
- (3) When a vacancy occurs in the membership for any reason, the replacement shall be appointed for the unexpired term.
- (4) (a) Each member shall take the official oath of office prior to assuming the office.
- (b) The oath shall be filed with the Division of Archives and Records Services.
- (5) The board of trustees shall elect a chair and vice chair, who serve for two years and until their successors are elected and qualified.
- (6) (a) The board of trustees may enact bylaws for its own government, including provision for regular meetings.
- (b)
 - (i) The board of trustees may provide for an executive committee in its bylaws.
 - (ii) If established, the committee shall have full authority of the board of trustees to act upon routine matters during the interim between board of trustees meetings.
 - (iii) The committee may act on nonroutine matters only under extraordinary and emergency circumstances.
 - (iv) The committee shall report its activities to the board of trustees at its next regular meeting following the action.
- (c) Copies of the board of trustees' bylaws shall be filed with the Board of Regents.
- (7) A quorum shall be required to conduct business which shall consist of a majority of board of trustee members.
- (8) The board of trustees may establish advisory committees.
- (9) (a)
 - (i) Members who are not government employees shall receive no compensation or benefits for their services, but may receive per diem and expenses incurred in the performance of the member's official duties at the rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.
 - (ii) Members may decline to receive per diem and expenses for their service.

- (b) (i) State government officer and employee members who do not receive salary, per diem, or expenses from their agency for their service may receive per diem and expenses incurred in the performance of their official duties from the board of trustees at the rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.
- (b) (ii) State government officer and employee members may decline to receive per diem and expenses for their service.
- (c) (i) Higher education members who do not receive salary, per diem, or expenses from the entity that they represent for their service may receive per diem and expenses incurred in the performance of their official duties from the board of trustees at the rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.
- (c) (ii) Higher education members may decline to receive per diem and expenses for their service.

Amended by Chapter 259, 2007 General Session

53B-2a-104. Utah College of Applied Technology Board of Trustees -- Powers and duties.

The Utah College of Applied Technology Board of Trustees shall:

- (1) in cooperation with the president of the Utah College of Applied Technology, and with the approval of the State Board of Regents, develop competency-based associate of applied technology degrees to be offered by the Utah College of Applied Technology;
- (2) approve the courses and requirements for the associate of applied technology degrees;
- (3) ensure that, pursuant to State Board of Regents' rules, an applied technology education degree is primarily a terminal degree, but is transferable to a bachelor's degree in applied technology at other higher education institutions under specific articulation agreements;
- (4) ensure that the Utah College of Applied Technology college campuses comply with the requirements in Section 53B-2a-106;
- (5) advise the president of the Utah College of Applied Technology and the State Board of Regents on issues related to applied technology education;
- (6) receive budget requests from each college campus, compile and prioritize the requests, and submit the request to:
 - (a) the Legislature; and
 - (b) the Governor's Office of Planning and Budget;
- (7) receive funding requests pertaining to capital facilities and land purchases from each college campus, ensure that the requests comply with Section 53B-2a-112, prioritize the requests, and submit the prioritized requests to the State Building Board;
- (8) prepare and submit an annual report detailing its progress and recommendations on applied technology education issues to the governor and to the Legislature's Education Interim Committee by October 31 of each year, which shall include information detailing:
 - (a) how the applied technology education needs of secondary students are being met; and
 - (b) how the emphasis on high demand, high wage jobs in business and industry described in Subsection 53B-2a-106(1)(c)(ii) is being provided; and
 - (c) what access secondary students have to programs offered:
 - (i) at college campuses; and
 - (ii) within the regions served by Snow College and the College of Eastern Utah;
- (9) receive, by September 30 of each year, an annual report from Snow College and the College of Eastern Utah on the status of and maintenance of the effort for applied technology education in the regions served by Snow College and the College of Eastern Utah, including access to open-entry, open-exit competency-based applied technology education programs at the tuition rate approved by the Utah College of Applied Technology for adults and at no tuition cost to secondary students; and
- (10) perform other duties and responsibilities prescribed under the policies of the State Board of Regents.

Amended by Chapter 259, 2007 General Session

53B-2a-105. Utah College of Applied Technology -- Composition.

The Utah College of Applied Technology is composed of the following college campuses:

- (1) the Bridgerland Applied Technology College Campus which serves the geographic area encompassing:
 - (a) the Box Elder School District;
 - (b) the Cache School District;
 - (c) the Logan School District; and

- (d) the Rich School District;
- (2) the Ogden-Weber Applied Technology College Campus which serves the geographic area encompassing:
 - (a) the Ogden City School District; and
 - (b) the Weber School District;
- (3) the Davis Applied Technology College Campus which serves the geographic area encompassing:
 - (a) the Davis School District; and
 - (b) the Morgan School District;
- (4) the Salt Lake/Tooele Applied Technology College Campus which serves the geographic area encompassing:
 - (a) the Salt Lake City School District;
 - (b) the Granite School District;
 - (c) the Jordan School District;
 - (d) the Murray School District; and
 - (e) the Tooele School District;
- (5) the Mountainland Applied Technology College Campus which serves the geographic area encompassing:
 - (a) the Alpine School District;
 - (b) the Nebo School District;
 - (c) the Provo School District;
 - (d) the South Summit School District;
 - (e) the North Summit School District;
 - (f) the Wasatch School District; and
 - (g) the Park City School District;
- (6) the Uintah Basin Applied Technology College Campus which serves the geographic area encompassing:
 - (a) the Daggett School District;
 - (b) the Duchesne School District; and
 - (c) the Uintah School District;
- (7) the Southwest Applied Technology College Campus which serves the geographic area encompassing:
 - (a) the Beaver School District;
 - (b) the Garfield School District;
 - (c) the Iron School District; and
 - (d) the Kane School District; and
- (8) the Dixie Applied Technology College Campus which serves the geographic area encompassing the Washington School District.

Amended by Chapter 259, 2007 General Session

53B-2a-106. College campuses -- Duties.

- (1) Each Utah College of Applied Technology college campus shall:
 - (a) offer a post-secondary and extra-secondary applied technology education curriculum;
 - (b) offer that curriculum at:
 - (i) market cost to adult students, as approved by the board of trustees and the State Board of Regents; and
 - (ii) no tuition to secondary students within the campus' jurisdiction;
 - (c) provide applied technology education that will result in:
 - (i) appropriate licensing, certification, or other evidence of completion of training; and
 - (ii) qualification for specific employment, with an emphasis on high demand, high wage jobs in business and industry;
 - (d) offer associate of applied technology degrees that have:
 - (i) instruction provided in an open-entry, open-exit environment, except as required by external entities; and
 - (ii) been reviewed by the board of trustees and approved by the State Board of Regents in accordance with Section 53B-1-103;
 - (e) develop cooperative agreements with local school districts, other higher education institutions, businesses, industries, and community and private agencies to maximize the availability of instructional facilities; and
 - (f) after consulting with local school districts within the geographic area served by the college campus:
 - (i) ensure that secondary students in the public education system have access to applied technology education at each college campus; and
 - (ii) prepare and submit an annual report to the Utah College of Applied Technology detailing:
 - (A) how the applied technology education needs of secondary students within the region are being met;
 - (B) what access secondary students within the region have to programs offered at college campuses; and

- (C) how the emphasis on high demand, high wage jobs in business and industry described in Subsection (1)(c)(ii) is being provided.
- (2) A college campus may offer a competency-based high school diploma approved by the State Board of Education in accordance with Section 53A-1-402.
- (3) A college campus may not:
- (a) offer courses other than applied technology education and preparatory instruction in areas such as reading and mathematics that are necessary for student success in a chosen applied technology education or job-related program;
 - (b) offer a degree other than an associate of applied technology degree approved by the State Board of Regents in accordance with Section 53B-1-103;
 - (c) provide tenure or academic rank for its instructors; and
 - (d) participate in intercollegiate athletics.
- (4) (a) The mission of a college campus is limited to applied technology education and may not expand to include credit-based academic programs typically offered by community colleges or other institutions of higher education.
- (b) A college campus may not offer a noncredit academic program that is offered as a noncredit program by another higher education institution that is located in the same service region unless the program has received approval through the regional planning process required by the State Board of Regents.
- (c) If a program is approved to be offered at more than one institution of higher education through the regional planning process required by the State Board of Regents, the institutions within that region shall agree to a uniform tuition for that program and submit the proposed tuition level to the State Board of Regents for approval.
- (5) Each campus shall be recognized as a college campus of the Utah College of Applied Technology, and regional affiliation shall be retained and recognized through local designations such as "Bridgerland Applied Technology College: A Utah College of Applied Technology Campus."

Amended by Chapter 259, 2007 General Session

53B-2a-107. Campus presidents -- Appointments -- Duties.

- (1) (a) The president of the Utah College of Applied Technology shall appoint a campus president for a college campus from a list of at least three names submitted to the president by the campus board of directors to serve as the chief administrative officer of the college campus.
- (b) A campus president does not need to have a doctorate degree, but shall have extensive experience in applied technology education.
- (c) A campus president is subject to regular review and evaluation administered by the Utah College of Applied Technology president, in cooperation with the campus board of directors, through a process approved by the board of trustees.
- (d) A campus president serves at the discretion of the Utah College of Applied Technology president, in cooperation with the campus board of directors and the board of trustees.
- (2) Each campus president of a college campus shall:
- (a) serve as the executive officer of the campus board of directors;
 - (b) administer the day-to-day operations of the college campus under the direction of the campus board of directors; and
 - (c) administer human resource policies and employee compensation plans in accordance with the requirements of the Utah College of Applied Technology.

Amended by Chapter 227, 2005 General Session

53B-2a-108. Campus boards of directors -- Membership -- Appointments.

Each campus shall have a campus board of directors appointed as follows:

- (1) the Bridgerland Applied Technology College Campus Board of Directors shall be composed of the following 13 members:
- (a) one elected local school board member appointed by the board of education for the Box Elder School District;
 - (b) one elected local school board member appointed by the board of education for the Cache School District;
 - (c) one elected local school board member appointed by the board of education for the Logan School District;
 - (d) one elected local school board member appointed by the board of education for the Rich School District;
 - (e) one member of the Utah State University board of trustees;
 - (f) one member of the State Board of Regents designated by the chair of the State Board of Regents to serve a one-year term; and
 - (g) seven representatives of business or industry within the region appointed jointly by the members appointed under

- Subsections (1)(a) through (f);
- (2) the Ogden-Weber Applied Technology College Campus Board of Directors shall be composed of the following 11 members:
- (a) one elected local school board member appointed by the board of education for the Ogden City School District;
 - (b) one elected local school board member appointed by the board of education for the Weber School District;
 - (c) one elected local school board member jointly appointed by the boards of education for the Ogden City School District and the Weber School District;
 - (d) one member of the Weber State University board of trustees;
 - (e) one member of the State Board of Regents designated by the chair of the State Board of Regents to serve a one-year term; and
 - (f) six representatives of business or industry within the region appointed jointly by the members appointed under Subsections (2)(a) through (e);
- (3) the Davis Applied Technology College Campus Board of Directors shall be composed of the following 11 members:
- (a) one elected local school board member appointed by the board of education for the Davis School District;
 - (b) one elected local school board member appointed by the board of education for the Morgan School District;
 - (c) one elected local school board member jointly appointed by the boards of education for the Davis School District and the Morgan School District;
 - (d) one member of the Weber State University board of trustees;
 - (e) one member of the State Board of Regents designated by the chair of the State Board of Regents to serve a one-year term; and
 - (f) six representatives of business or industry within the region appointed jointly by the members appointed under Subsections (3)(a) through (e);
- (4) the Salt Lake/Tooele Applied Technology College Campus Board of Directors shall be composed of the following 15 members:
- (a) one elected local school board member appointed by the board of education for the Salt Lake City School District;
 - (b) one elected local school board member appointed by the board of education for the Granite School District;
 - (c) one elected local school board member appointed by the board of education for the Jordan School District;
 - (d) one elected local school board member appointed by the board of education for the Murray School District;
 - (e) one elected local school board member appointed by the board of education for the Tooele School District;
 - (f) one member of the Salt Lake Community College board of trustees;
 - (g) one member of the State Board of Regents designated by the chair of the State Board of Regents to serve a one-year term; and
 - (h) eight representatives of business or industry within the region appointed jointly by the members appointed under Subsections (4)(a) through (g);
- (5) the Mountainland Applied Technology College Campus Board of Directors shall be composed of the following 19 members:
- (a) one elected local school board member appointed by the board of education for the Alpine School District;
 - (b) one elected local school board member appointed by the board of education for the Nebo School District;
 - (c) one elected local school board member appointed by the board of education for the Provo School District;
 - (d) one elected local school board member appointed by the board of education for the South Summit School District;
 - (e) one elected local school board member appointed by the board of education for the North Summit School District;
 - (f) one elected local school board member appointed by the board of education for the Wasatch School District;
 - (g) one elected local school board member appointed by the board of education for the Park City School District;
 - (h) one member of the Utah Valley University board of trustees;
 - (i) one member of the State Board of Regents designated by the chair of the State Board of Regents to serve a one-year term; and
 - (j) ten representatives of business or industry within the region appointed jointly by the members appointed under Subsections (5)(a) through (i);
- (6) the Uintah Basin Applied Technology College Campus Board of Directors shall be composed of the following 11 members:
- (a) one elected local school board member appointed by the board of education for the Daggett School District;
 - (b) one elected local school board member appointed by the board of education for the Duchesne School District;
 - (c) one elected local school board member appointed by the board of education for the Uintah School District;
 - (d) one member of the Utah State University board of trustees;
 - (e) one member of the State Board of Regents designated by the chair of the State Board of Regents to serve a one-year term; and

- (f) six representatives of business or industry within the region appointed jointly by the members appointed under Subsections (6)(a) through (e);
- (7) the Southwest Applied Technology College Campus Board of Directors shall be composed of the following 13 members:
 - (a) one elected local school board member appointed by the board of education for the Beaver School District;
 - (b) one elected local school board member appointed by the board of education for the Garfield School District;
 - (c) one elected local school board member appointed by the board of education for the Iron School District;
 - (d) one elected local school board member appointed by the board of education for the Kane School District;
 - (e) one member of the Southern Utah University board of trustees;
 - (f) one member of the State Board of Regents designated by the chair of the State Board of Regents to serve a one-year term; and
 - (g) seven representatives of business or industry within the region appointed jointly by the members appointed under Subsections (7)(a) through (f);
- (8) the Dixie Applied Technology College Campus Board of Directors shall be composed of the following 11 members:
 - (a) three elected local school board members appointed by the board of education for the Washington School District;
 - (b) one member of the Dixie State College of Utah board of trustees;
 - (c) one member of the State Board of Regents designated by the chair of the State Board of Regents to serve a one-year term; and
 - (d) six representatives of business or industry within the region appointed jointly by the members appointed under Subsections (8)(a) through (c); and
- (9) the representatives of business or industry shall be appointed jointly by the designated members from a list of names provided by local organizations or associations whose members employ workers with applied technology education.

Amended by Chapter 356, 2007 General Session

Amended by Chapter 259, 2007 General Session

53B-2a-109. Campus boards of directors -- Terms -- Quorum -- Chair-- Compensation.

- (1) (a) At the first meeting of a campus board of directors after September 1, 2001:
 - (i) the representatives from the local school boards shall divide up their positions so that approximately half of them serve for two-year terms and half serve for four-year terms; and
 - (ii) the representatives from business and industry shall divide up their positions so that approximately half of them serve for two-year terms and half serve for four-year terms.
- (b) Except as provided in Subsection (1)(a) and except for State Board of Regents members who serve a one-year term, individuals appointed to a campus board of directors shall serve four-year terms.
- (2) The original appointing authority shall fill any vacancies that occur on the campus board of directors.
- (3) A majority of the campus board of directors is a quorum.
- (4) The campus board of directors shall elect a chair from its membership.
- (5) (a) (i) Members who are not government employees shall receive no compensation or benefits for their services, but may receive per diem and expenses incurred in the performance of the member's official duties from the campus board of directors at the rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.
- (ii) Members may decline to receive per diem and expenses for their service.
- (b) (i) Higher education members who do not receive salary, per diem, or expenses from the entity that they represent for their service may receive per diem and expenses incurred in the performance of their official duties from the campus board of directors at the rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.
- (ii) Higher education members may decline to receive per diem and expenses for their service.
- (c) (i) Members appointed by local school boards who do not receive salary, per diem, or expenses from the entity that they represent for their service may receive per diem and expenses incurred in the performance of their official duties from the campus board of directors at the rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.
- (ii) Local school board members may decline to receive per diem and expenses for their service.
- (6) (a) Each campus board of directors may enact bylaws for its own government, including provision for regular meetings, that are in accordance with the policies of the Utah College of Applied Technology.
- (b) (i) The campus board of directors may provide for an executive committee in its bylaws.
- (ii) If established, the committee shall have the full authority of the campus board of directors to act upon routine matters during the interim between regional board meetings.
- (iii) The committee may act on nonroutine matters only under extraordinary and emergency circumstances.

(iv) The committee shall report its activities to the campus board of directors at its next regular meeting following the action.

(7) A regional board may establish advisory committees.

Amended by Chapter 289, 2003 General Session

53B-2a-110. Campus board of directors -- Powers and duties.

(1) Each campus board of directors shall:

- (a) prepare and submit a budget request for its annual operations to the Utah College of Applied Technology Board of Trustees;
- (b) after consulting with the Utah College of Applied Technology, other higher education institutions, and local school districts within its region, prepare a comprehensive strategic plan for delivering applied technology education within its region;
- (c) consult with business, industry, the Department of Workforce Services, and the Governor's Office of Planning and Budget on an ongoing basis to determine what workers and skills are needed for employment in Utah businesses and industries;
- (d) develop programs based upon the information gathered in accordance with Subsection (1)(c), including expedited program approval and termination procedures to meet market needs;
- (e) adopt an annual budget and fund balances;
- (f) develop policies for the operation of applied technology education facilities under its jurisdiction;
- (g) establish human resources and compensation policies for all employees in accordance with policies of the Utah College of Applied Technology;
- (h) approve credentials for employees and assign employees to duties in accordance with the Utah College of Applied Technology policies and accreditation guidelines;
- (i) conduct annual program evaluations;
- (j) appoint program advisory committees and other advisory groups to provide counsel, support, and recommendations for updating and improving the effectiveness of training programs and services;
- (k) approve regulations, both regular and emergency, to be issued and executed by the campus president;
- (l) coordinate with local school boards and districts to protect the applied technology education needs of secondary students; and
- (m) develop policies and procedures for the admission, classification, instruction, and examination of students in accordance with the policies and accreditation guidelines of the Utah College of Applied Technology, the State Board of Education, and the State Board of Regents.

(2) A campus board of directors may not exercise any jurisdiction over applied technology education provided by a local school district or provided by a higher education institution independently of a college campus.

(3) If a program advisory committee or other advisory group submits a printed recommendation to the campus board of directors, the campus board of directors shall acknowledge the recommendation with a printed response that explains the campus board of directors' action regarding the recommendation and the reasons for the action.

Amended by Chapter 289, 2003 General Session

Amended by Chapter 233, 2003 General Session

53B-2a-111. State Board of Regents -- Consultation with boards of trustees.

(1) The board shall consult with the Utah College of Applied Technology Board of Trustees or the president of the Utah College of Applied Technology or both before acting on matters pertaining to the Utah College of Applied Technology.

(2) The board shall consult with a campus board of directors or the campus president or both before acting on matters pertaining to a college campus.

(3) The board may:

- (a) call meetings with the Utah College of Applied Technology Board of Trustees or one or more of the campus boards of directors; and
- (b) appoint committees to perform duties assigned by the board that include:
 - (i) (A) members of the Utah College of Applied Technology Board of Trustees; or
 - (B) administrators of the Utah College of Applied Technology; or
 - (ii) (A) members of one or more of the campus boards of directors; or
 - (B) administrators, faculty staff members, or students of one or more of the college campuses.

Amended by Chapter 289, 2003 General Session

53B-2a-112. College campuses -- Relationships with other public and higher education institutions -- Agreements -- Priorities -- New capital facilities.

- (1) As used in this section, "higher education institution" means, for each college campus, the higher education institution designated in Section 53B-2a-108, except for the State Board of Regents, to have a representative on its campus board of directors.
- (2) A college campus shall avoid any unnecessary duplication of applied technology instructional facilities, programs, administration, and staff between the college campus and other public and higher education institutions.
- (3) A college campus may enter into agreements:
 - (a) with other higher education institutions to cultivate cooperative relationships;
 - (b) with other public and higher education institutions to enhance applied technology education within its region; or
 - (c) to comply with Subsection (2).
- (4) Before a college campus develops its own new instructional facilities, it shall give priority to:
 - (a) maintaining its own existing instructional facilities for both secondary and adult students;
 - (b) coordinating with the president of a higher education institution and entering into any necessary agreements to provide applied technology education to both secondary and adult students that:
 - (i) maintain and support existing higher education applied technology education programs; and
 - (ii) maximize the use of existing higher education facilities; and
 - (c) developing cooperative agreements with local school districts, other higher education institutions, businesses, industries, and community and private agencies to maximize the availability of applied technology instructional facilities for both secondary and adult students.
- (5) (a) Before submitting a funding request pertaining to new capital facilities and land purchases to the Utah College of Applied Technology, a college campus shall:
 - (i) ensure that all available instructional facilities are maximized in accordance with Subsections (4)(a) through (c); and
 - (ii) coordinate the request with the president of a higher education institution, if applicable.

(b) The State Building Board shall make a finding that the requirements of this section are met before it may consider a funding request of the Utah College of Applied Technology pertaining to new capital facilities and land purchases.

(c) A college campus may not construct, approve the construction of, plan for the design or construction of, or consent to the construction of an applied technology education facility without approval of the Legislature.
- (6) Before acquiring new fiscal and administrative support structures, a college campus shall:
 - (a) review the use of existing public or higher education administrative and accounting systems, financial record systems, and student and financial aid systems for the delivery of applied technology education in the region;
 - (b) determine whether it is feasible to use those existing systems; and
 - (c) with the approval of the campus board of directors and the board of trustees, use those existing systems.
- (7) (a) The higher education institution for the region shall have the first opportunity to offer the general education courses that are required for an associate of applied technology degree offered by the Utah College of Applied Technology, at the college campus site.

(b) The content of the general education courses described in Subsection (7)(a) shall be defined by the higher education institution for the region in a manner consistent with the needs of the Utah College of Applied Technology.

(c) If the higher education institution for the region is unable to offer the courses described in Subsection (7)(a), other institutions of higher education may offer those courses.

(d) The college campuses shall be responsible to provide technical skills training and basic skills as required by business and industry towards an associate of applied technology degree.

Amended by Chapter 289, 2003 General Session

53B-2a-113. College campuses -- Leasing authority -- Lease-purchase agreements -- Report.

- (1) In accordance with Subsection 53B-2a-112(2), a college campus may enter into a lease with other higher education institutions, public school districts, state agencies, or business and industry for a term of:
 - (a) one year or less with the approval of the campus board of directors; and
 - (b) more than one year with the approval of the board of trustees and:
 - (i) the approval of funding for the lease by the Legislature prior to a college campus entering into the lease; or
 - (ii) the lease agreement includes language that allows termination of the lease without penalty.
- (2) (a) In accordance with Subsection 53B-2a-112(2), a college campus may enter into a lease-purchase agreement if:
 - (i) there is a long-term benefit to the state;
 - (ii) the project is included in both the campus and Utah College of Applied Technology master plans;
 - (iii) the lease-purchase agreement includes language that allows termination of the lease;
 - (iv) the lease-purchase agreement is approved by the campus board of directors and the board of trustees; and

- (v) the lease-purchase agreement is:
 - (A) reviewed by the Division of Facilities Construction and Management;
 - (B) reviewed by the State Building Board; and
 - (C) approved by the Legislature.
- (b) An approval under Subsection (2)(a) shall include a recognition of:
 - (i) all parties, dates, and elements of the agreement;
 - (ii) the equity or collateral component that creates the benefit; and
 - (iii) the options dealing with the sale and division of equity.
- (3) (a) Each college campus shall provide an annual lease report to the board of trustees that details each of its leases, annual costs, location, square footage, and recommendations for lease continuation.
 - (b) The president of the Utah College of Applied Technology shall compile and distribute an annual combined lease report for all college campuses to the Division of Facilities Construction Management and to others upon request.
- (4) The Utah College of Applied Technology shall use the annual combined lease report in determining planning, utilization, and budget requests.

Amended by Chapter 227, 2005 General Session